

App. No. 10/258,835
Reply to Office Action of 1/23/06

Remarks

The referenced patent application has been reviewed in light of the referenced Office Action.

In the Claims, claims 1, 14, 24, and 26-28 are amended to clarify Applicant's claimed invention. Claims 2, 3, 5, 18, 19 and 21 are withdrawn. Please cancel claims 2, 3, 5, 18, 19 and 21 without prejudice.

Claims 26-28 are rejected under 35 USC 101 as directed to non-statutory subject matter. This rejection is moot in light of the amendments to claims 26-28, claiming a tangible machine accessible medium.

Claims 1-4, 6-7, 17-20, 22-23 are rejected under 35 USC 102(b) as being anticipated by Stautner et al. (US 6172677) (Stautner).

Claims 1, 14, 17 and 24 have been amended to include a new element, supported by the specification and related to a listing for a television program that has supplementary content as provided as an enhancement transmitted in association with the program. This element is neither disclosed nor suggested by Stautner. Thus the rejections of claims 1, 14 and 24, as amended, as anticipated by Stautner are therefore moot and should be withdrawn for at least this reason. Because claims 3-4 and 6-7 depend on claim 1, and because claims 18-20 and 22-23 depend on claim 17, the rejections of claims 3, 4, 6, 7, 18-20 and 22-23 as anticipated by Stautner are also moot and should be withdrawn for at least this reason.

Claims 5 and 21 are rejected under 35 USC 103(a) as unpatentable over Stautner in view of Klosterman, US 6469753 (Klosterman). However, these

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rejections rely on the above discussed rejection of claim 1 as anticipated by Stautner which as argued above is moot, and therefore are moot, and should be withdrawn for at least this reason.

Claims 8-16 and 24-28 are rejected under 35 USC 103(a) as unpatentable over Stautner in view of Boyer et al., US 6268849 (Boyer). However, the rejections of claims 8-13 rely on the above discussed rejection of claim 1, as anticipated by Stautner, which as argued above is moot, and therefore are moot, and should be withdrawn for at least this reason.

The rejections of claims 24-28 rely on the rejection of claim 14 as anticipated by Stautner, which as argued above is moot, with respect to those limitations of claims 24-28 also found in claim 14, and are therefore moot for at least this reason.

Applicant has therefore argued that all rejections made in the Office Action should be withdrawn, and therefore all claims pending in the application, claims 1, 4, 6-17, 20, and 22-28, should be allowed.

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The Examiner is welcome to contact the Attorney of Record,
Sanjay S. Gadkari at 503-264-4348 to discuss any matters in connection
with the case. The Commissioner is hereby authorized to charge any fees
in connection with this communication to our Deposit Account No. 02-
2666.

Respectfully submitted,

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LLP

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